

REMARKS

INTRODUCTION

In accordance with the foregoing, claim 3 has been amended. Claims 1-29 and 32 are pending and under consideration.

ALLOWABLE SUBJECT MATTER

On page 5, claims 3-16 and 24-27 have been allowed.

Claims 20-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 1, 17, 18, 19, 28, 29, and 32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,817,585 (Wagner et al.).

On page 3, the Office Action states, “Wagner ‘585 discloses ... a tilt adjusting part provided so that the first engaging pipe is coupled thereto, and to couple to the display mounting part.”

In Figs. 1 and 2, Wagner shows an alleged first engaging pipe 52' and a display 12. The alleged first engaging pipe 52' is not coupled to the display 12. Wagner shows the alleged first engaging pipe 52' separated from the display 12. Thus, Wagner fails to teach or suggest “...a tilt adjusting part provided so that the first engaging pipe is coupled thereto, and to couple to the display mounting part” as recited, for example, in independent claim 1.

On page 3, the Office Action acknowledges that “Wagner fails to disclose a first engaging pipe extended downward from the swivel adjusting part.” On page 4, the Office Action states, “it would have been obvious to one of ordinary skill in the art at the time of the invention was made to add a first engaging pipe extended downward from the swivel adjusting part as shown in Fig. 2 wherein doing so would provide [thereof] the convenience to adjust the monitor in any direction as the customer desired.”

Wagner discusses that it is possible to add length to the suspension system by extending the spindle 40 and adding other devices 12 extending therefrom by stacking one or more additional spindle hubs along the axis A and thereby mounting one or more additional arms 50' (col. 3, lines 38-43).

However, Wagner states:

However, the number of devices 12 that can be added is generally limited by the length of the spindle 40 and the height of the ceiling 17 above the work surface 18 (emphasis added, col. 3, lines 43-46).

Although Wagner discusses adding spindle hubs, Wagner does not discuss extending the arm or additional arms. Wagner describes adding a second spindle 60 to the existing ceiling plate 30 in order to provide for the weight of the second device 14 to be distributed over a large area of the ceiling plate 30, while providing room for the attachment of other devices 66, 68, such as a control board and a fuse block, directly to the ceiling plate (see: Figs. 3-4 and col. 3, lines 47-59). Thus, Wagner teaches away from the Office Action's rationale of providing an engaging pipe extending downward for the convenience to adjust the monitor in any direction as the customer desired.

Therefore, Wagner does not teach or suggest, *inter alia*, an engaging pipe extended downward from the swivel adjusting part.

Withdrawal of the foregoing rejections is respectfully requested.

Claims 2 and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wagner et al. in view of U.S. Patent No. 5,310,152 (O'Neill).

Claims 2 and 23 depend from claim 1 and include all of the features of that claim plus additional features, which are not taught or suggested by the cited references. Therefore, for at least these reasons, it is respectfully submitted that claims 2 and 23 also patentably distinguish over the cited references.

In view of the above, it is respectfully submitted that the rejection is overcome.

Withdrawal of the foregoing rejections is respectfully requested.

CONCLUSION

In accordance with the foregoing, the Applicants respectfully submit that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the cited art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited. At a minimum, the Board should enter this Amendment at least for purposes of Appeal as it either clarifies and/or narrows the issues for consideration.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 11/25/04

By: L.A.K.

Lisa A. Kilday
Registration No. 56,210

1201 New York Avenue, NW, 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501

AMENDMENTS TO THE DRAWINGS:

The drawings are objected to because they fail to show bend [bent] parts. In order to overcome these objections, replacement figures are submitted herewith.

In FIG. 4, bent parts were shown and described at, e.g., Paragraphs 59 and 61, but not labeled in Figs. 5, 6A, and 6B. Accordingly, the replacement Figs. 5, 6A, and 6B label the bent parts on the tilt adjusting part 900 with reference number 920.

Approval of these changes to the Drawings is respectfully requested.

FIG. 5

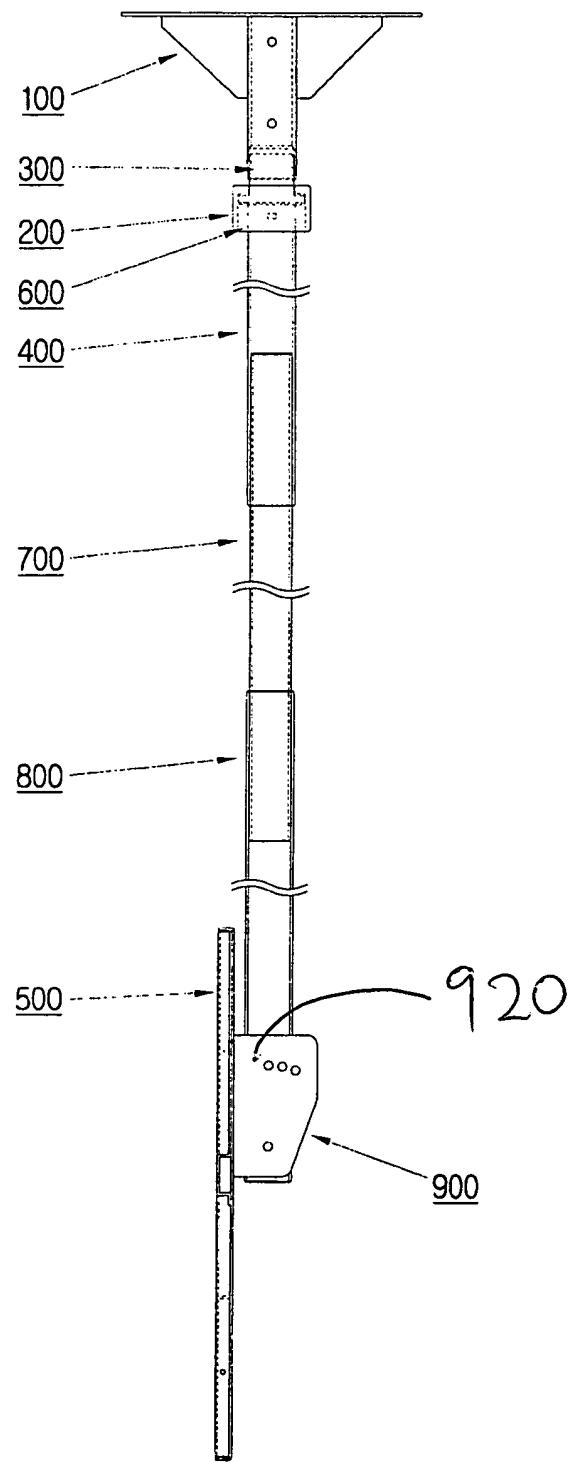


FIG. 6A

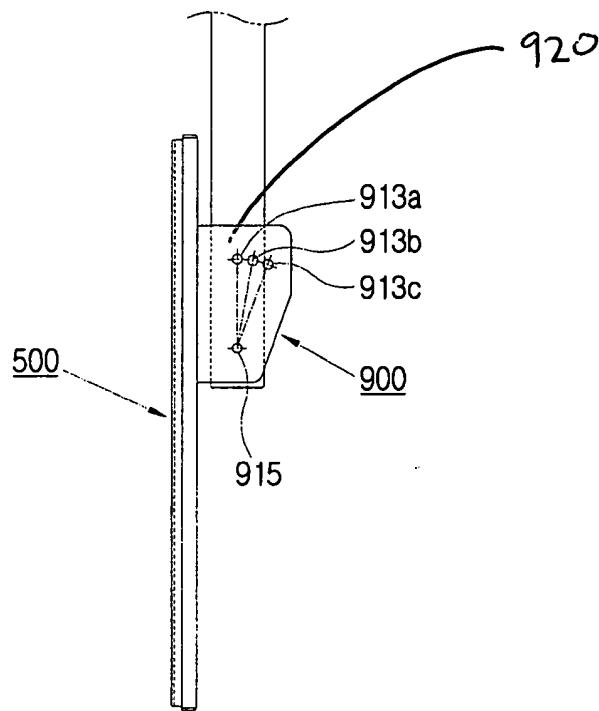


FIG. 6B

